



RELEASE OF INFORMATION

Directive: 14 – 120

Date of Issue: May 2013 Amends/Cancels: Chapter IX Sec 5

I. PURPOSE

The purpose of this Directive is to establish guidelines for the release of information. The release of information is expected to enhance the relationship between the Department of General Services Maryland Capitol Police (DGS-MCP) and the community which we serve.

II. POLICY

- A. It is the policy of DGS-MCP to release information to the public in a timely and accurate fashion.
- B. All requests by the public for release of information including police reports will be directed to the Chief of Police or his designee.
- C. The Chief of Police or his designee will review all requests for the release of information including police reports before they are released to the public.

III. BACKGROUND

The release of information including police reports is governed by the Maryland Public Information Act, Annotated Code of Maryland, State Government Article, Title 10, Subtitle 6.

IV. PROCEDURES

A. Requesting Information:

- 1. All requests for information including police reports must be in writing including an original signature.
- 2. Individuals representing public or private entities should generate their request on official letterhead.
- 3. All requests for information including police reports will be forwarded to the Chief of Police or his designee.
- 4. Under no circumstances will information be released by any member of DGS-MCP without authorization from the Chief of Police or his designee.

This includes but is not limited to:

- a. Police reports
- b. Directives
- c. General Orders
- d. Special Orders
- e. Personnel Orders
- f. Memorandums
- g. Etc.

B. Release of Information:

1. Upon request, the following information MAY be released:

- a. The type of event or crime and where it occurred.
- b. Identity of the victim (unless the crime was a sexual assault, the victim has requested to remain unidentified, or in the case of death, the victim's next-of-kin have not been notified).
- c. The name, age, city of residence, and other background information of a charged suspect.
- d. The charge upon which an arrest has been made.
- e. Circumstances of the arrest.
- f. Custody status.
- g. Dates of hearings.
- h. Identifying photographs, only if they are available and do not contain police identification data.

2. Under normal circumstances the following information will NOT be released:

- a. The identity of victims of sex-related crimes.
- b. The identity of a suspect for whom a warrant or summons has not been issued or indictment returned.
- c. The existence or contents of any confession, admission, or statement of the accused.
- d. The identity, comments, expected testimony or credibility of any witness.
- e. Any statements regarding the innocence or guilt of the accused, the merits of the case, the possibility of a plea, or the value of evidence when these statements are based upon an officer's own opinion.
- f. The identity of a juvenile arrestee who has not been waived by the Court as an adult.
- g. The identity of a deceased person before next-of-kin have been notified.
- h. Information regarding special enforcement tactics that have been planned in advance (e.g., raids, stake-outs, or special assignments, etc.) except where it may be beneficial to release such information in advance (e.g., DWI, seatbelt, and out-of-state license plate checkpoints).
- i. Any information which could impede the enforcement of the law or an on-going investigation.
- j. Any information which is legally privileged.
- k. Any information which violates or jeopardizes the constitutional rights of an accused person.

- l. Any information that could jeopardize the safety of an officer, victim, witness or informant.
 - m. Any information that could cause embarrassment or harm to a victim or witness (e.g., name or address of a suspected abuser living in the same residence as the victim).
 - n. Any information that discloses an investigative technique or procedure.
- 3. The release of information in regards to criminal offenses committed by juvenile offenders.
 - a. Any distinctly identifying information, such as name or address, will NOT be released.
 - b. A juvenile's age, sex, city of residence, and the details of the offense MAY be released.
 - c. Only those traffic offenses which have been committed by juveniles over the age of 16 years and not subject to penalties of incarceration shall be available for release.
 - d. The release of information regarding juvenile defendants who are charged as adults will follow the guidelines established for adult defendants.

C. Release to Media Representatives:

- 1. DGS-MCP will honor requests for the release of information by bona fide representatives from the media when the necessary credentials have been verified, and the request meets the requirements set forth under Section A.

D. Employee Information:

- 1. Personal addresses and telephone numbers of DGS-MCP employees will not be released at any time.

E. Priorities:

- 1. Although it is important to release information in a timely manner, priority must be given to the security of a crime scene or disaster area. In this sense, the preservation of any evidence and the safety of bystanders, police officers, and media representatives should take precedence over the access to a scene or the dissemination of information.